Sri MALI MARIYAPPA.—I have made a correction. You must have followed my answer earlier.

Sri M. RAMAPPA.—Why have you given in the printed answer that it was for the sake of contesting elections that he resigned ?

Sri MALI MARIYAPPA.—In that question two things have been clubbed together. So it is better that we answer that question fully. The first part of the question relates to 'during what period he resigned' and in the second part of the same question, it is asked as to what is the purpose of his resignation and so these two things have been answered properly now.

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Non-Accounting of Collections of Sanidevara Temple Jatra at Pavagada.

*Q.—62. Sri G. N. PUTTANNA (Tumkur).—

Will the Government be pleased to state :—

(*a*) whether it is a fact that the total collections at the Jatra of Sanidevara Temple at Pavagada will be about Rs. 30,000 per year ;

(*b*) whether it is a fact that some of the donated amount is not accounted at all ;

(*c*) whether it is a fact that the Deputy Commissioner, Tumkur, ordered the Thasildar, Pavagada, on 26th January 1959 that all the amount collected, including Golaka collection, should be remitted to the Temple funds in the name of the Thasildar ;

(*d*) whether it is a fact that the then Thasildar handed over Golaka and Jatra collection to S.S.K. Sangha disobeying the orders of the Deputy Commissioner ; and if so, why and what ction is taken against him ?

*A.—Sri KADIDAL MANJAPPA (Minister for Revenue).—

(*a*), (*b*), (*c*) & (*d*) The matter is *sub judice* and hence replies cannot be furnished.

ಶ್ರೀ ಜಿ. ಎಸ್. ಪುಟ್ಟಣ್ಣ.—ನ್ಯಾಯಾ, ಕ್ಲಾಜು (*a*) (*b*), (*c*) & (*d*) ಎಲ್ಲದಕ್ಕೂ ಉತ್ತರ ಕೊಡದೇ ಈ ವಿಷಯ *sub judice* ಇದೆ ಎಂದು ಹೇಳಿದ್ದೀರಿ. ಹಾಗಾದರೆ ಯಾವುದು *sub judice* ಆಗುತ್ತದೆ ?

†Sri KADIDAL MANJAPPA.—When the suit is pending before the District Judge it is very difficult to find out which is *sub judice* and which is not.

Sri G. N. PUTTANNA.—Sir, the question is :

> " whether it is a fact that the Deputy Commissioner, Tumkur, ordered the Thasildar, Pavagada, on 26th January 1959 that all the amount collected, including Golaka collection, should be remitted to the Temple funds in the name of the Thasildar."

This matter is not at all a case before any court of law.

Mr. SPEAKER.—You cannot ask like that.

Sri G. N. PUTTANNA.—Clauses (*c*) and (*d*) do not form part of the suit before the District Judge. How can it be *sub judice* ?

Sri KADIDAL MANJAPPA.—It is not for me to say which is *sub judice* and which is not.

Sri G. VENKATAI GOWDA.—The question is whether the Deputy Commissioner has ordered the Thasildar to do so or not. He can say yes or no.

Mr. SPEAKER.—According to the Minister it is *sub judice* and you have to accept it.

Sri KADIDAL MANJAPPA.—I can only say this much that the Deputy Commissioner had issued certain instructions to the Thasildar.

Sri J. B. MALLARADHYA.—The first question is :

> " whether it is a fact that the total collections at the Jatra of Sanidevara Temple at Pavagada will be about Rs. 30,000 per year."

Surely this cannot be *sub judice*.

Mr. SPEAKER.—When the Government say that it is *sub judice* you cannot challenge the reply of Government.

Sri C. J. MUCKANNAPPA.—How long is this case pending before the court ?

Sri KADIDAL MANJAPPA.—From March, 1959.

Sri C. J. MUCKANNAPPA.—What is the contention of the plaintiff before the court ?

Mr. SPEAKER.—I cannot allow this question. For all these clauses the Government have said that the matter is *sub judice*.

Sri KADIDAL MANJAPPA—Sir, I may say that the Deputy Commissioner passed an order under section 17 of the Religious and Charitable Endowments Act that this institution should be taken over. Against that decision they have filed a suit.

Sri G. N. PUTTANNA.—I rise to a point of order. This is a very important question. The Minister was pleased to say that on the order of the Government they had gone on appeal. That is not correct. Have they gone in appeal to the District Court ?

Sri KADIDAL MANJAPPA.—If an order is passed under section 17 of the Act to which I have referred, the party affected should file a suit. Accordingly they have filed the suit in the District Court.

Sri M. C. NARASIMHAN.—Sir, so far as the portion which is *sub judice* is concerned, the Chair will have to be satisfied. It is crystal clear that the whole question is out of order. So in pursuance of our rules the admission of the question itself is wrong because our rules specifically say that anything amounting to *sub judice* shall not be allowed to be asked. From the mere fact that you have allowed this question, I take it that it is not *sub judice*. Because the Government now say that it is *sub judice*, how can it be accepted?

Mr. SPEAKER.—You need not take a guarantee from me.

Sri M. RAMAPPA.—I want to know whether it is the Chair or the Government that decides whether a matter is *sub judice* or not.

Mr. SPEAKER.—I am not the person to decide whether a certain matter is *sub judice* or not. It is for the Government to say whether that the matter is *sub judice* or not. When Government say that it is, so I cannot reopen the question and say that it is not *sub judice*.

Sri C. J. MUCKANNAPPA.—Sir, may I remind you that the Advocate General was called upon to say whether a matter was *sub judice* or not and thereafter you gave the longest possible ruling that it did not amount to *sub judice*, but now you come forward and say that it is a matter to be decided between the person putting the question and the Government.

Mr. SPEAKER.—In the first place, on the last occasion when I wanted to know whether a matter was *sub judice* or not there was a real doubt about it. It was about admissibility that I wanted to know. Certain proceedings were under investigation. Government said that certain matters were being inquired into by a Magistrate and that they were *sub judice*. It was in such circumstances that I wanted to know whether they were proceedings before a Magistrate so that I might decide whether the matter was *sub judice* or not. That case does not apply here.

Grant of Scholarships and Freeships to the Students of First Grade College, Tumkur.

*Q.—128. Sri T. N. MUDALAGIRI GOWDA (Kunigal).—

Will the Government be pleased to state :—

(*a*) the amount of Scholarships and Freeships (including Merit and other B.C. Scholarships) granted to Scheduled Caste students and Backward Class students of the First Grade College, Tumkur, in the years 1957-58, 1958-59 and 1959-60 ;

(*b*) out of the above, the amount shared by the Mysore Government and the Central Government respectively ?